(c) whether Government have issued any circular on seniority of S/ST officers promoted earlier, vis-a-vis general candidates promoted later on 30th January, 1997.

(d) whether Government have received any representation against this circular; and

(e) whether Government propose to withdraw the said circular in view of the Judgements; if so, the details thereof; if not, the reasons thereto?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI S. R. BALASUBRAMONIYAN): (a) and (b) The Hon'able Supreme Court in its judgement dated 7th May, 1997 in the case of Shri Jagdish Lal and others Vs. State of Haryana has held *inter-alia* that the principle laid down in Shri Virpal Singh Chauhan's case will operate prospectively and will not affect promotions of the reserved category candidates which were made prior to the case of Shri Virpal Singh Chauhan. Also, the ruling in Chauhan's case canot be given effect automatically through isue of executive instructions if there is contrary provision in the statutory rules. In others words, it will be necessary to amend the statutory rules governing seniority to give effect to the ruling of the Hon'ble Supreme Court. Where, however, there are no statutory rules regulating seniority issue of instructions in this regard would suffice.

In the case of Ashok Kumar Gupta Vs State of Utta- Pradesh, the challenge was directed at reservation in promotion. The Hon'ble Supreme Court in its judgement dated 21 8 1997 has upheld the validity of reservation in promotion under the relevant rules on the grounds that the Supreme Court in Indira Sawhney's judgement has permitted the existing scheme of reservations in promotions to continue for a period of five years from the date of said judgement.

(c) to (e) Having regard to the judgement of the Hon'ble Supreme Court in the matter of Union of India & Others Vs. Shri Virpal Singh Chauhan etc., orders have been issued by the Government vide O.M. No. 20011/1/96-Estt. (D) dated 30.1.1997 that if a candidate belonging to the Scheduled Caste or the Scheduled Tribe is promoted to an immediate higher post/grade against a reserved vacancy earlier than his senior general/OBC candidate who is promoted later to the said immediate higher post/grade, the general/OBC candidate will regain his seniority over such carlier promoted candidate of the Scheduled Caste and the Scheduled Tribe in the immediate higher post/grade. However, if in the meanwhile, the reserved candidate; who got accelerated promotion to the immediate higher grade, has moved still further by getting promotion to the next higher grade, no benefit would accrue to the general/OBC candidate at the time of his promotion. These orders are effective prospectively from the date of issue.

Representations have been received against the orders which were examined in the light of the law laid down by the Hon'ble Supreme Court and the provisions made in the afo-e-said O.M.

In view of the afore-said position, there is no proposal at the moment to withdraw the said orders.

Applicabilily of CCS rules to autonomous bodies trusts

2582. PROF. RAM KAPSE: Will the PRIME MINISTER be pleased to state:

(a) whether it is mandatory for Autonomous Bodies/Trusts created by Parliament's Resolution and obtaining grants from Government, to follow the provisions of C C S rules, as applicable to other Government employees;

(b) if so, the details thereof;

(c) the details of protective mechanism/check available to employees of such Autonomous Bodies from being exploited, victimised and harassed by the senior level officials who, in the name of autonomy, perpetrate injustice;

(d) whether Government have or would *suo-moto*, investigate such cases especially wherein female employees are victimised;

(e) if so, the details thereof; and

(f) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI S. R. BALASUBRAMONIYAN): (a) and (b) The C.C.S. rules are not automatically applicable to Autonomous Bodies. However, Autonomous Bodies are free to adopt these rules as model rules for their employees.

(c) The rules for Autonomous Bodies are framed by various authorities administratively concerned with the Autonomous Bodies under them. Hence such information is not centrally available.

(d) It is for the Ministry/Department administratively concerned with the Autonomous Bodies to consider the matter when it is brought to their notice.

(e) and (f) Do not arise.

पता चले घोटालों की संख्या

2583. श्री गोपाल सिंह ओ० सोलंकी :
श्री चिमनभाई हरीभाई शुक्ला :

क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1995-96, 1996-97 के दौरान और आज तक पता चले घोटालों की संख्या कितनी है ;

(ख) केन्द्रीय अन्वेषण ब्यूरो को जांच के लिये सौंपे गये नये मामलों की संख्या कितनी है;

(ग) केन्द्रीय अन्वेषण ब्यूरो द्वारा किन प्रमुख व्यक्तियों और विभागों के विरुद्ध मामले दायर किये गये हैं ;

(घ) क्या केन्द्रीय अन्वेषण ब्यूरो ने निर्यात को राज्य व्यापार निगम के वित्त और आयात-निर्यात विभाग के निदेशकों की बहुचर्चित यूरिया और खाद्य तेल आयात घोटाले में संलिप्तता के संबंध में सदस्यों से पत्र प्राप्त हुये हैं ;

(ङ) यदि हां, तो तत्संबंधी ब्यौरा क्या है ; और

(च) उस पर अब तक कोई कार्यवाही नहीं किये जाने के क्या कारण हैं?

कार्मिक, लोक शिकायत और पेंशन मंत्रालय में राज्य मंत्री तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (श्री एस० आर० बालासुब्रह्मण्यन) :

(क) से (ग) केन्द्रीय अन्वेषणब्यूरो से प्राप्त सूचना के अनुसार, वर्ष 1995-96 और वर्ष 1996-97 के दौरान तथा आज तक की स्थिति के अनुसार, विभिन्न घोटालों के संबंध में, उसके द्वारा दर्ज किये गये मामलों की संख्या इस प्रकार रही है:—

1995-96	1996-97
117	62

उपर्युक्त घोटालों में, केन्द्रीय अन्वेषण ब्यूरो ने कुल 184 अभियुक्तों के विरुद्ध मामले दर्ज किये है, जिनमें अज्ञात अभियुक्तों के अतिरिक्त, प्रमुख व्यक्ति, सरकारी कर्मचारी, निजी फर्में तथा गैर सरकारी व्यक्ति शामिल हैं। इन सभी मामलों में कानून के अनुसार कार्रवाई की जायेगी।